IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.136 OF 2004

IN

SECOND APPEAL ST. NO.48798 OF 2003

Shrikant Bapu Bhairmkar & Ors. ...Applicants

Vs.

Suresh Shankar Bhairmkar & Ors. ...Respondents

CORAM: A.S.OKA, J.

DATED: JANUARY 20,2005.

P.C.:

1. Rule. Shri Kazi waives service for the Respondents.

2. Sufficient cause is made out for condonation of delay in preferring the Appeal from Order. Accordingly, Civil Application is allowed in terms of prayer clause (a).

3. Place the Appeal for admission on 16th February 2005. Till 23rd February 2005 the Appellants shall not be dispossessed on the basis of impugned decree. However, it is made clear that partition proceedings to go on further.

Judge.